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Approved: [signature]
ANDREW J. DeFILIPPIS
Assistant United States Attorney

Before: THE HONORABLE JAMES C. FRANCIS
United States Magistrate Judge
Southern District of New York

U.S. DISTRICT COURT FILED MAY 05 2014 S.D. OF N.Y.

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UNITED STATES OF AMERICA	:	**COMPLAINT**
- v. -	:	Violation of 18 U.S.C. § 922(g)(1)
STEVEN MOULTRIE a/k/a "Tokyo,"	:	COUNTY OF OFFENSE: BRONX
Defendant.	:	

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DOC # 1

SOUTHERN DISTRICT OF NEW YORK, ss.:

CARMEN TORRES, being duly sworn, deposes and says that she is a Police Officer with the New York City Police Department, and charges as follows:

COUNT ONE

1. On or about May 2, 2014 in the Southern District of New York, STEVEN MOULTRIE, a/k/a "Tokyo," the defendant, after having been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, knowingly did possess in and affecting commerce, a firearm, to wit, a .25 caliber Raven Arms handgun, which previously had been shipped and transported in interstate and foreign commerce.

(Title 18, United States Code, Section 922(g)(1).)

The bases for my knowledge and for the foregoing charge, are, in part, as follows:

2. I am a Police Officer in the 43rd Precinct of the New York City Police Department ("NYPD"). I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my

conversations with other law enforcement personnel and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my involvement in the arrest of STEVEN MOULTRIE, a/k/a "Tokyo," the defendant, I have learned the following:

a. On or about May 2, 2014, other NYPD officers and I executed a search warrant issued by the Bronx County Criminal Court for the premises located at 1589 East 172nd Street, Apartment G, Bronx, New York (the "Apartment"). The warrant authorized the NYPD to enter the premises without giving notice of their authority or purpose.

b. At approximately 6:10 a.m., NYPD officers assigned to the Emergency Services Unit ("ESU") forcibly entered the Apartment. I waited outside the Apartment for several minutes while the ESU team secured the Apartment.

c. Upon entering the Apartment, I proceeded to its only bedroom where I observed STEVEN MOULTRIE, a/k/a "Tokyo," the defendant, on a bed. Prior to my entry, the ESU team had handcuffed MOULTRIE for safety reasons.

d. While in the bedroom, I observed a jacket draped over the headboard of the bed.

e. Thereafter, MOULTRIE requested to see the search warrant for the Apartment, and an NYPD Sergeant ("Sergeant-1") displayed the warrant to MOULTRIE. The other NYPD officers and I then permitted MOULTRIE to get dressed and brought him out of the bedroom into the hallway.

f. As MOULTRIE was exiting the bedroom, I observed MOULTRIE turn his head and look towards the jacket that was draped on the headboard of the bed, whereupon MOULTRIE asked again to see the search warrant.

g. MOULTRIE was then brought into the living room across the hallway from the bedroom. MOULTRIE stated, in sum and substance, that the jacket did not belong to him.

MOULTRIE further stated that the money inside of the jacket belonged to him, and that he wanted the money.

h. Thereafter, I looked inside one of the jacket's pockets and observed a wallet, approximately $1,920 in cash, and a firearm. The firearm was later identified as a .25 caliber Raven Arms handgun. Upon opening the wallet, I observed identification documents bearing the defendant's name, including a New York State Identification card.

i. The defendant was subsequently transported to the 43rd Precinct of the NYPD.

j. In conducting a further search of the Apartment's bedroom, I recovered a bag of marijuana from the window sill; a marijuana cigarette by a television; a round of .25 caliber ammunition from a shirt that was hanging in the defendant's closet; and a further round of .25 caliber ammunition from a bag that was sitting on the bed.

k. In conducting a search of the Apartment's living room and kitchen, the other officers and I also recovered (1) a scale that I know from my training and experience is commonly used to weigh narcotics, and (2) two small ziplock backs containing a white rocky substance that I believe from my training and experience to be crack cocaine. The scale contained what appeared to be narcotics residue.

l. Shortly after the other officers and I completed a search of the Apartment, an individual entered the Apartment and identified himself as its owner ("Individual-1"). Individual-1 also stated, in substance and among other things, that he did not live at the Apartment, and that he rented the Apartment to MOULTRIE for $150 per month.

m. Individual-1 was subsequently arrested and transported to the 43rd Precinct. Individual-1 confirmed in writing that he rented the Apartment to MOULTRIE.

4. Thereafter, Sergeant-1 communicated with NYPD officers who were present during a post-arrest interview of STEVEN MOULTRIE, a/k/a "Tokyo," the defendant. Sergeant-1 informed me that MOULTRIE stated, in substance and among other things, that the gun recovered from the Apartment belonged to MOULTRIE.

5. I have communicated with an ATF Special Agent ("Agent-1") who is familiar with the manufacturing of firearms. Agent-1 informed me that the .25 caliber Raven Arms handgun has never been manufactured in the State of New York.

6. I have reviewed criminal history records pertaining to STEVEN MOULTRIE, a/k/a "Tokyo," the defendant, which indicate that on or about December 9, 2009, MOULTRIE was convicted in the United States District Court for the Southern District of New York of Conspiracy to Distribute and Possess with Intent to Distribute Crack Cocaine, in violation of Title 21, United States Code, Section 846, and sentenced to 60 months of imprisonment.

WHEREFORE, the deponent respectfully requests that a warrant issue for the arrest of STEVEN MOULTRIE, a/k/a "Tokyo," the defendant, and that he be imprisoned, or bailed, as the case may be.

CARMEN TORRES
POLICE OFFICER
NEW YORK CITY POLICE DEPARTMENT

Sworn to before me this
5th day of May, 2014

THE HONORABLE JAMES C. FRANCIS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK